

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF FLORIDA  
Miami Division

**Case Number: 10-20315-CIV-MORENO**

ADVANCED GENERIC CORP.,

Plaintiff,

vs.

SORTER PHARMACEUTICAL, *et al.*,

vs.

JOSE LLORENS,

Third Party Defendant.

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**ORDER GRANTING MOTION TO TRANSFER VENUE**

Defendant, Novis PR Inc., seeks to transfer venue to the District of Puerto Rico pursuant to 28 U.S.C. § 1404(a). Plaintiff alleges violations of the Sherman Anti-Trust Act, 15 U.S.C. § 1, the Clayton Act, 15 U.S.C. § 12, the Lanham Act, 15 U.S.C. § 1125, *et seq.*, and 42 U.S.C. § 1983. A district court may transfer any civil action to any other district court where the suit might have been originally filed, in view of the convenience of the parties and witnesses, and in the interest of justice. 28 U.S.C. § 1404(a). To succeed on a motion to transfer venue, the moving party must show: (1) the availability of an adequate alternative forum; (2) that public and private factors weigh in favor of transfer; and (3) that the plaintiff can reinstate the action in the alternative forum without undue inconvenience or prejudice. *Leon v. Millon Air, Inc.*, 251 F.3d 1305, 1310-11 (11th Cir. 2001). Here, all Defendants reside or otherwise do business in Puerto Rico. All of the products at issue in this case were intended for and distributed throughout the Puerto Rican market. Moreover, Plaintiff

does not oppose Defendant's motion to transfer venue. Therefore, because the alleged wrongful actions took place in Puerto Rico, and Plaintiff does not oppose the transfer of venue, the Court GRANTS Defendant's motion to transfer venue.

THE COURT hereby TRANSFERS this case to the District of Puerto Rico in view of Plaintiff's non-opposition to the transfer. Accordingly, all other pending motions are DENIED as moot.

DONE AND ORDERED in Chambers at Miami, Florida, this 20<sup>th</sup> day of April, 2010.

  
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FEDERICO A. MORENO  
CHIEF UNITED STATES DISTRICT JUDGE

Copies provided to:  
Counsel of Record